

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
v.	:	
	:	
EDWARD RONALD SCHNABLE, JR.	:	NO. 07-608

ORDER

AND NOW, this 24th day of May, 2012, upon consideration of the pleadings and the record herein, and after the review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, and the objections thereto, IT IS HEREBY ORDERED that:

1. The objections are overruled.
2. The Report and Recommendation is APPROVED and ADOPTED.
3. Petitioner's Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 (Docket No. 39) is DENIED WITHOUT AN EVIDENTIARY HEARING.
4. The government's Motion to Dismiss in Part and Deny in Part Defendant's Petition filed under 28 U.S.C. § 2255 (Docket No. 46) is GRANTED.
5. Petitioner's request for an evidentiary hearing and his discovery motions (Docket Nos. 47, 48 and 49) are DENIED.

6. Because the petitioner has not made a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.